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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD

MAG INSTRUMENT, INC.,)

Opposer,)

v.)

TUBELITE, INC.,)

Applicant.)

Opposition No. _____

Application Serial No.: 78/286,865

Filing Date: August 13, 2003

Publication Date: June 1, 2004

Trademark: **T-MAG**

International Class: 40



11-29-2004

U.S. Patent & TMO/TM Mail Rpt Dt. #11

NOTICE OF OPPOSITION

Box TTAB FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Dear Sir:

Mag Instrument, Inc. ("Mag Instrument"), a California corporation located and doing business at 1635 South Sacramento Avenue, Ontario, California 91761, believes that it will be damaged by registration of the alleged mark shown in Serial No. 78/286,865 and, through its attorneys, hereby opposes the same. Mag Instrument opposes registration of this alleged mark in all classes for which Applicant has applied, which, upon information and belief, is only

International Class 40.

12/10/2004 07:00:00 00000005 78286865

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300.00 02

CERTIFICATE OF MAILING
(37 C.F.R. § 1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office To Addressee" in an envelope addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513

EL 975109743
Express Mail Label No.

Trisha Dolman
Name of Person Mailing Paper

November 29, 2004
Date of Deposit

Signature of Person Mailing Paper

On information and belief, Application Serial No. 78/286,865 (for "T-MAG" for aluminum extrusion and finishing services, in International Class 40) was filed on August 13, 2003 by Tubelite, Inc. ("Applicant"), a Michigan corporation doing business at 4878 Mackinaw Trail, Reed City, Michigan 49677. It was published for Opposition in the Official Gazette on June 1, 2004.

As grounds of opposition, it is alleged that:

1. Since at least as early as January 9, 1992, Mag Instrument has been using the trademark MAG[®] in connection with its manufacture, advertising, and sale of flashlights and related products. Mag Instrument is the owner of United States Trademark Registration No. 1,975,632 for MAG[®], which is in full force and effect, and which has become incontestable. A copy of that registration is attached hereto as **Exhibit A** and is incorporated herein by reference.

2. In addition to the MAG[®] trademark, Mag Instrument has engaged in a deliberate effort to develop a family of marks incorporating "MAG" (collectively the "MAG Family Marks"). In accordance with its efforts, Mag Instrument has obtained registrations on the following marks:

| TRADEMARK | | UNITED STATES REG. NO. |
|-----------|-----------------------------------|------------------------|
| 1. | MAG-LITE | 1,154,816 |
| 2. | MAG-NUM STAR | 1,245,187 |
| 3. | MINI MAGLITE | 1,389,804 |
| 4. | MAG-LITE with sunburst design | 1,524,374 |
| 5. | MINI MAGLITE with sunburst design | 1,525,488 |
| 6. | MINI MAGLITE AAA | 1,611,960 |

| TRADEMARK | | UNITED STATES REG. NO. |
|-----------|--|------------------------|
| 7. | MAG-LITE and circumferential inscription | 1,655,486 |
| 8. | MINI MAGLITE and circumferential inscription | 1,667,539 |
| 9. | MAG INSTRUMENT | 1,715,086 |
| 10. | MAG and panther head design | 1,987,841 |
| 11. | MAG-LITE RACING | 2,276,776 |
| 12. | MAG-LITE RACING | 2,330,350 |
| 13. | MAGLITE | 2,485,515 |
| 14. | MAGLITE | 2,622,179 |

Copies of these registrations are attached hereto as **Exhibits B-O**. Of these marks, numbers 1-11 have become incontestable.

3. Mag Instrument has also obtained trademark registrations on marks in its MAG Family of Marks in the State of California, starting in 1979, and currently has the following marks, among others, registered:

| TRADEMARK | | STATE OF CALIFORNIA REG. NO. |
|-----------|---------------------|------------------------------|
| 1. | MAG-LITE | 60569 |
| 2. | MINI MAGLITE | 78422 |
| 3. | MAG-LITE AND DESIGN | 084986 |
| 4. | MINI MAGLITE AAA | 086000 |

Copies of these registrations are attached hereto as **Exhibits P-S**.

4. Mag Instrument has manufactured, marketed, and advertised its flashlights and related products so that the public associates them with the idea of extraordinary design, materials, workmanship, and reliability. In furtherance of that goal, Mag Instrument usually displays its products and the associated trademarks in its advertising and promotional presentations. At frequent trade shows, Mag Instrument prominently displays many of the MAG Family Marks, including the MAG[®] trademark, in conjunction with the "Mag Instrument" trade name on a booth where its products are exhibited. Mag Instrument distributes full-color brochures that depict and describe its entire line of flashlights and related accessories. In addition, many of the MAG Family Marks, including the MAG[®] trademark, appear on the packaging and containers for the flashlights and/or related accessories and/or on the flashlights themselves. Mag Instrument has spent millions of dollars in advertising and promoting its flashlights and related products.

5. As a result of Mag Instrument's continuous use and promotion of the MAG Family Marks, including the MAG[®] trademark, as well as the distinctiveness of the marks, the purchasing public has come to associate the MAG Family Marks, including the MAG[®] trademark, with Mag Instrument as the source and sponsor thereof.

6. Mag Instrument's MAG-LITE[®] flashlight and other flashlights and accessories bearing the MAG Family Marks have developed a reputation of high quality. For example, Mag Instrument's MAG-LITE[®] flashlight and other flashlights have earned a superb reputation among police officers, firemen, and other emergency response professionals, as well as among mountaineers, explorers, sportsmen, campers, and others who require the finest flashlights available. Mag Instrument's flashlight products are sold in quantity to police and fire departments and other civil-defense agencies. They are also advertised on television, in

sports/outdoor magazines, and by high-quality catalog houses. They are sold at retail through various stores, including sporting goods stores, police equipment stores, hardware stores, and mass merchandisers.

7. The Applicant has applied to register "T-MAG" for aluminum extrusion and finishing services, in International Class 40.

8. Mag Instrument has used its MAG[®] trademark, as well as many of its other MAG Family Marks, on flashlights and/or related accessories well before August 13, 2003 -- the date the Applicant filed its application for "T-MAG" for aluminum extrusion and finishing services, in International Class 40.

9. In view of the similarity of the respective marks, Applicant's use of "T-MAG" so resembles Mag Instrument's registered marks and Mag Instrument's use of its marks as to be likely to cause confusion, or to cause mistake, or to deceive.

10. The MAG Family Marks are distinctive and are famous marks. Applicant's use of "T-MAG" (if any), as well as its filing of a trademark application for "T-MAG," occurred subsequent to the MAG Family Marks becoming famous. Registration and/or use of Applicant's alleged mark have caused and will cause dilution of the distinctive quality of the MAG Family Marks. If Applicant is permitted to use and register its alleged mark, Mag Instrument will suffer injury to the value of the MAG Family Marks, its product identity, control over its goodwill and reputation, and ability to move into new markets.

In view of the above, Applicant is not entitled to Federal registration of its alleged mark in that Applicant's proposed use is likely to cause confusion, or to cause mistake, or to deceive.

Further, Applicant's alleged mark dilutes the distinctive quality of the famous MAG Family Marks.

WHEREFORE, Mag Instrument prays that said Application Serial No. 78/286,865 be rejected, that no registration be issued thereon to Applicant, and that this Opposition be sustained in favor of Mag Instrument.

This Notice of Opposition is being submitted, as required by 37 C.F.R. §§2.101-12.107, in duplicate. The appropriate fee under 37 C.F.R. §2.6 is also submitted herewith. Please direct all future correspondence to the undersigned.

Respectfully submitted,

JONES DAY

Dated: November 23, 2004

By: 
Charles A. Kertell
Reg. No. 41,891
555 West Fifth Street, Suite 4600
Los Angeles, California 90013
(213) 489-3939

Attorneys for Opposer
MAG INSTRUMENT, INC.

Int. Cls.: 9 and 11

Prior U.S. Cls.: 13, 21, 23, 26, 31, 34, 36 and 38

United States Patent and Trademark Office Reg. No. 1,975,632
Registered May 28, 1996

**TRADEMARK
PRINCIPAL REGISTER**

MAG

MAG INSTRUMENT, INC. (CALIFORNIA CORPORATION)
1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 91761

FOR: ELECTRIC FLASHLIGHT ACCESSORIES SOLD TOGETHER OR SEPARATELY, NAMELY RECHARGEABLE BATTERIES, BATTERY CHARGERS, ELECTRICAL CONVERTERS, POWER CORDS, CHARGER CRADLES, FLASHLIGHT RECHARGER ADAPTERS FOR USE WITH VEHICLE CIGARETTE LIGHTERS, BATTERY PACKS FOR FLASHLIGHTS, VOLTAGE CONVERTERS, FOREIGN PLUG ADAPTERS, HARDWIRING HARNESSSES FOR ADAPTING FLASHLIGHT RECHARGERS TO LAND VEHICLES, BOATS AND AIRPLANES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).
FIRST USE 1-9-1992; IN COMMERCE 1-9-1992.

FOR: FLASHLIGHTS AND RELATED PARTS, COMPONENT PARTS AND ACCESSORIES THEREFOR, NAMELY REPLACEMENT FLASHLIGHT LAMPS, COMBINATION LENS HOLDER/ANTI-ROLL UNITS ADAPTED TO FIT THE HEADS OF FLASHLIGHTS, FLASHLIGHT MOUNTING BRACKETS, RUBBER GRIPPER SLEEVES ADAPTED TO FIT ON THE BARRELS OF FLASHLIGHTS AND LEATHER AND NYLON CARRYING HOLDERS AND BELT HOLDERS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 1-9-1992; IN COMMERCE 1-9-1992.

OWNER OF U.S. REG. NOS. 1,154,816, 1,715,086 AND OTHERS.

SER. NO. 74-460,678, FILED 11-19-1993.

ANDREW BAXLEY, EXAMINING ATTORNEY

Int. Cl.: 11

Prior U.S. Cl.: 21

United States Patent and Trademark Office

Reg. No. 1,154,816
Registered May 19, 1981

TRADEMARK
Principal Register

MAG-LITE

Mag Instrument, Inc. (California corporation)
1133 W. State St.
Ontario, Calif. 91761

For: FLASHLIGHT, in CLASS 11 (U.S. Cl. 21).
First use Feb. 22, 1979; in commerce Feb. 22,
1979.

Ser. No. 238,973, filed Nov. 13, 1979.

J. TINGLEY, Primary Examiner

Int. Cl.: 11

Prior U.S. Cl.: 21

United States Patent and Trademark Office

Reg. No. 1,245,187
Registered Jul. 12, 1983

TRADEMARK
Principal Register

MAG-NUM STAR

Mag Instrument, Inc. (California corporation)
1635 S. Sacramento St.
Ontario, Calif. 91761

For: FLASHLIGHT BULBS, in CLASS 11 (U.S.
Cl. 21).

First use Jan. 19, 1980; in commerce Jan. 19, 1980.

Ser. No. 372,321, filed Jun. 30, 1982.

ABRAM I. SACHS, Examining Attorney

Int. CL.: 11

Prior U.S. CL.: 21

United States Patent and Trademark Office

Reg. No. 1,389,804

Registered Apr. 15, 1986

TRADEMARK
PRINCIPAL REGISTER

MINI MAGLITE

MAG INSTRUMENT, INC. (CALIFORNIA COR-
PORATION)
1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 91761

FOR: FLASHLIGHTS, IN CLASS 11 (U.S. CL.
21).

FIRST USE 1-0-1984; IN COMMERCE
1-0-1984.

OWNER OF U.S. REG. NO. 1,154,816.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "MINT", APART FROM THE
MARK AS SHOWN.

SER. NO. 555,456, FILED 8-26-1985.

NANCY L. HANKIN, EXAMINING ATTORNEY

Int. Cl.: 11

Prior U.S. Cl.: 21

United States Patent and Trademark Office

Reg. No. 1,524,374
Registered Feb. 14, 1989

**TRADEMARK
PRINCIPAL REGISTER**

MAG LITE

MAG INSTRUMENT, INC. (CALIFORNIA CORPORATION)
1635 S. SACRAMENTO STREET
ONTARIO, CA 91761

FOR: FLASHLIGHTS AND PARTS THERE-
OF; FLASHLIGHT ACCESSORIES, NAMELY,
LAMPS, BULBS, FLASHLIGHT ACCESSORY
KITS COMPRISING HOLSTERS, LENS HOLD-
ERS, LENSES, POCKET CLIPS, WRIST LAN-

YARDS AND KEY RINGS, IN CLASS 11 (U.S.
CL. 21).

FIRST USE 5-17-1984; IN COMMERCE
7-0-1984.

OWNER OF U.S. REG. NO. 1,154,816.

SER. NO. 669,456, FILED 6-30-1987.

CANDICE ABATE, EXAMINING ATTORNEY

Int. CL: 11 .

Prior U.S. CL: 21

United States Patent and Trademark Office

Reg. No. 1,525,488
Registered Feb. 21, 1989

**TRADEMARK
PRINCIPAL REGISTER**

MINI/MAG LITE

MAG INSTRUMENT, INC. (CALIFORNIA COR-
PORATION)
1635 S. SACRAMENTO STREET
ONTARIO, CA 91761

FOR: FLASHLIGHTS AND PARTS THERE-
OF; FLASHLIGHT ACCESSORIES, NAMELY,
LAMPS, BULBS, FLASHLIGHT ACCESSORY
KITS COMPRISING HOLSTERS, LENS HOLD-
ERS, LENSES, POCKET CLIPS, WRIST LAN-

YARDS AND KEY RINGS, IN CLASS 11 (U.S.
CL. 21).

FIRST USE 4-0-1985; IN COMMERCE
6-0-1985.

OWNER OF U.S. REG. NO. 1,389,804.

SER. NO. 669,459, FILED 6-30-1987.

CANDICE ABATE, EXAMINING ATTORNEY

Int. Cls.: 11

Prior U.S. Cls.: 9 and 21

United States Patent and Trademark Office

Reg. No. 1,611,960
Registered Sep. 4, 1990

**TRADEMARK
PRINCIPAL REGISTER**

MINI MAGLITE AAA

MAG INSTRUMENT, INC. (CALIFORNIA COR-
PORATION)
1635 S. SACRAMENTO STREET
ONTARIO, CA 91761

FOR: FLASHLIGHTS AND FLASHLIGHT
ACCESSORIES, NAMELY, LAMPS AND
BULBS, IN CLASS 11 (U.S. CL. 21).

FIRST USE 1-8-1987; IN COMMERCE
1-8-1987.

FOR: FLASHLIGHT HOLSTERS, IN CLASS
13 (U.S. CL. 9).

FIRST USE 1-8-1987; IN COMMERCE
1-8-1987.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "MINI", APART FROM THE
MARK AS SHOWN.

SER. NO. 73-669,455, FILED 6-30-1987.

ABRAM I. SACHS, EXAMINING ATTORNEY

Int. Cl.: 11.

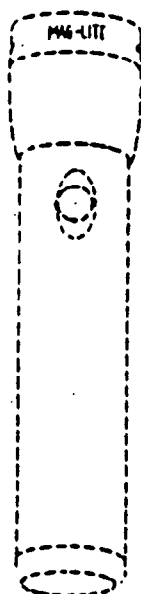
Prior U.S. Cl.: 21

United States Patent and Trademark Office

Reg. No. 1,655,486

Registered Sep. 3, 1991

**TRADEMARK
PRINCIPAL REGISTER**



MAG INSTRUMENT, INC. (CALIFORNIA CORPORATION)
1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 91761

FOR: FLASHLIGHTS, IN CLASS 11 (U.S. CL. 21).

FIRST USE 2-22-1979; IN COMMERCE 2-22-1979.

OWNER OF U.S. REG. NO. 1,154,816.

THE MARK CONSISTS OF A CIRCUMFERENTIAL INSCRIPTION EXTENDING SUB-

STANTIALLY AROUND THE HEAD OF A FLASHLIGHT AND BEARING THE WORDS "MAG-LITE". THE DOTTED LINES ARE NOT PART OF THE MARK AND SERVE ONLY TO SHOW THE POSITION OF THE MARK ON THE GOODS.

SER. NO. 73-741,896, FILED 7-25-1988.

SIDNEY I. MOSKOWITZ, EXAMINING ATTORNEY

Int. Cl.: 11

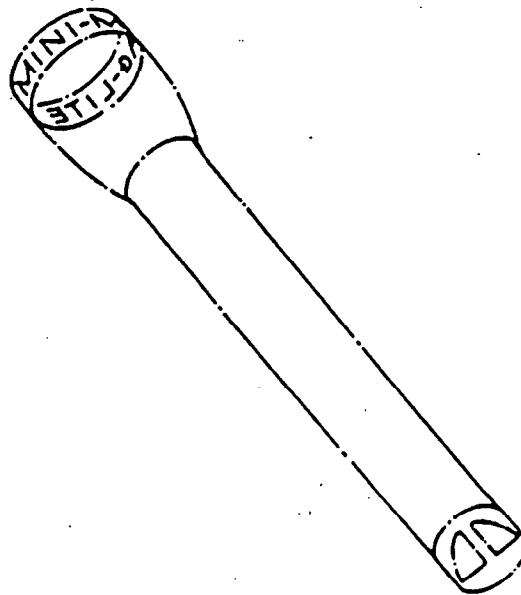
Prior U.S. Cl.: 21

United States Patent and Trademark Office

Reg. No. 1,667,539

Registered Dec. 10, 1991

**TRADEMARK
PRINCIPAL REGISTER**



MAG INSTRUMENT, INC. (CALIFORNIA CORPORATION)
1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 91761

FOR: FLASHLIGHTS. IN CLASS 11 (U.S. CL. 21).

FIRST USE 1-0-1984; IN COMMERCE 1-0-1984.

THE MARK CONSISTS OF A CIRCUMFERENTIAL INSCRIPTION EXTENDING SUB-

STANTIALLY AROUND THE HEAD OF A FLASHLIGHT AND BEARING THE WORDS "MINI-MAGLITE". THE DOTTED LINES ARE NOT PART OF THE MARK AND SERVE ONLY TO SHOW THE POSITION OF THE MARK ON THE GOODS.

SER. NO. 73-741,897, FILED 7-25-1988.

SIDNEY I. MOSKOWITZ, EXAMINING ATTORNEY

Int. Cls.: 9 and 11

Prior U.S. Cl.: 21

United States Patent and Trademark Office

Reg. No. 1,715,086
Registered Sep. 15, 1992

TRADEMARK
PRINCIPAL REGISTER

MAG INSTRUMENT

MAG INSTRUMENT, INC. (CALIFORNIA CORPORATION)
1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 91761

FOR: BATTERIES, CHARGERS, ELECTRICAL CONVERTERS AND POWER CORDS, IN CLASS 9 (U.S. CL. 21).

FIRST USE 2-22-1979; IN COMMERCE 2-22-1979.

FOR: FLASHLIGHTS, FLASHLIGHT PARTS, AND FLASHLIGHT ACCESSORIES; NAMELY,

BULBS, CLAMPS, HOLSTERS, TRAFFIC WANDS, LANYARDS, KEYRINGS, BATTERY SPRINGS, BULB PROTECTORS, POCKET CLIPS AND LENSES, IN CLASS 11 (U.S. CL. 21).

FIRST USE 2-22-1979; IN COMMERCE 2-22-1979.

SER. NO. 73-830,534, FILED 10-10-1989.

MARY FRANCES BRUCE, EXAMINING ATTORNEY

REGISTERED FOR A TERM OF 10 YEARS FROM Sept. 15, 1992



Attest

APR 09 1993
[Signature]
Attesting Officer

Certified to be a true copy of the registration issued by the United States Patent & Trademark Office, which registration is in full force and effect. Record title is in Registrant

[Signature]

Acting Commissioner of Patents and Trademarks

Int. Cls.: 9 and 11

Prior U.S. Cls.: 13, 21, 23, 26, 31, 34, 36 and 38

United States Patent and Trademark Office

Reg. No. 1,987,841

Registered July 23, 1996

**TRADEMARK
PRINCIPAL REGISTER**



MAG INSTRUMENT, INC. (CALIFORNIA CORPORATION)
1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 91761

FOR: ELECTRIC FLASHLIGHT ACCESSORIES SOLD TOGETHER OR SEPARATELY, NAMELY RECHARGEABLE BATTERIES, BATTERY CHARGERS, ELECTRICAL CONVERTERS, POWER CORDS, CHARGER CRADLES, FLASHLIGHT RECHARGER ADAPTERS FOR USE WITH VEHICLE CIGARETTE LIGHTERS, BATTERY PACKS FOR FLASHLIGHTS, VOLTAGE CONVERTERS, FOREIGN PLUG ADAPT-

ERS, HARDWIRING HARNESES FOR ADAPTING FLASHLIGHT RECHARGERS TO LAND VEHICLES, BOATS AND AIRPLANES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-9-1992; IN COMMERCE 1-9-1992.

FOR: FLASHLIGHTS AND RELATED PARTS, COMPONENT PARTS AND ACCESSORIES THEREFOR, NAMELY REPLACEMENT FLASHLIGHT LAMPS, COMBINATION LENS HOLDER/ANTI-ROLL UNITS ADAPTED TO FIT THE HEADS OF FLASHLIGHTS, FLASHLIGHT MOUNTING BRACKETS, RUBBER GRIPPER SLEEVES ADAPTED TO FIT ON

2
THE BARRELS OF FLASHLIGHTS AND
LEATHER AND NYLON CARRYING HOL-
STERS AND BELT HOLDERS, IN CLASS 11
(U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 1-9-1992; IN COMMERCE
1-9-1992.

OWNER OF U.S. REG. NOS. 1,154,816,
1,525,488, AND 1,715,086.

THE MARK CONSISTS IN PART OF A FAN-
CIFICUL DESIGN OF A PANTHER HEAD.

SER. NO. 74-460,756, FILED 11-19-1993.

ANDREW BAXLEY, EXAMINING ATTORNEY

Int. Cl.: 11

Prior U.S. Cls.: 13, 21, 23, 31, and 34

United States Patent and Trademark Office

Reg. No. 2,276,776

Registered Sep. 7, 1995

TRADEMARK
PRINCIPAL REGISTER.

MAG-LITE RACING

MAG INSTRUMENT, INC. (CALIFORNIA CORPORATION)
1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 917611083

FOR: FLASHLIGHTS AND PARTS THEREOF; FLASHLIGHT ACCESSORIES, NAMELY, LAMPS AND BULBS; FLASHLIGHT ACCESSORY KITS, COMPRISING HOLSTERS, LENS HOLDER, LENS, POCKETS CLIPS, WRIST LANYARDS AND KEYRINGS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 10-16-1997; IN COMMERCE 10-16-1997.

OWNER OF U.S. REG. NOS. 1,154,816, 1,389,804, AND 1,524,374.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RACING", APART FROM THE MARK AS SHOWN.

SN 75-978,302, FILED 6-4-1997.

KAREN MCGEE, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,330,350

United States Patent and Trademark Office

Registered Mar. 14, 2000

**TRADEMARK
PRINCIPAL REGISTER**

MAG-LITE RACING

**MAG INSTRUMENT, INC. (CALIFORNIA COR-
PORATION)
1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 917611083**

**FOR: CLOTHING, NAMELY, SHIRTS, IN
CLASS 25 (U.S. CLS. 22 AND 39).
FIRST USE 2-0-1999; IN COMMERCE
2-0-1999.**

**OWNER OF U.S. REG. NOS. 1,154,816,
1,389,804, AND 1,524,374.**

**NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "RACING", APART FROM
THE MARK AS SHOWN.**

SN 75-978,970, FILED 6-4-1997.

KAREN MCGEE, EXAMINING ATTORNEY

EXHIBIT M

Int. Cl.: 11

Prior U.S. Cls.: 13, 21, 23, 31, and 34

United States Patent and Trademark Office

Reg. No. 2,485,515

Registered Sep. 4, 2001

**TRADEMARK
PRINCIPAL REGISTER**

MAGLITE

**MAG INSTRUMENT, INC. (CALIFORNIA CORPORATION)
1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 917611083**

FIRST USE 5-17-1984; IN COMMERCE 7-0-1984.

**OWNER OF U.S. REG. NOS. 1,154,816, 1,808,998,
AND OTHERS.**

FOR: FLASHLIGHTS AND FLASHLIGHT ACCESSORIES, NAMELY, LAMPS, BULBS, FLASHLIGHT ACCESSORY KITS COMPRISING HOLSTERS, LENS HOLDERS, LENSES, POCKET CLIPS, WRIST LANYARDS AND KEY RINGS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

SN 75-385,568, FILED 11-5-1997.

ASMAT KHAN, EXAMINING ATTORNEY

EXHIBIT N

Int. Cls.: 9 and 11

Prior U.S. Cls.: 13, 21, 23, 26, 31, 34, 36, and 38

United States Patent and Trademark Office

Reg. No. 2,622,179

Registered Sep. 17, 2002

TRADEMARK
PRINCIPAL REGISTER

MAGLITE

MAG INSTRUMENT, INC. (CALIFORNIA CORPORATION)

1635 SOUTH SACRAMENTO AVENUE
ONTARIO, CA 917611083

FOR: ELECTRIC FLASHLIGHT ACCESSORIES SOLD TOGETHER OR SEPARATELY, NAMELY RECHARGEABLE BATTERIES, BATTERY CHARGERS, ELECTRICAL CONVERTERS, POWER CORDS, CHARGER CRADLES, FLASHLIGHT RECHARGER ADAPTERS FOR USE WITH VEHICLE CIGARETTE LIGHTERS, BATTERY PACKS FOR FLASHLIGHTS, VOLTAGE CONVERTERS, FOREIGN PLUG ADAPTERS, HARDWIRING HARNESSES FOR ADAPTING FLASHLIGHT RECHARGERS TO LAND VEHICLES, BOATS AND AIRPLANES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-1-2001; IN COMMERCE 1-1-2001.

FOR: FLASHLIGHTS AND RELATED PARTS, COMPONENT PARTS AND ACCESSORIES THEREFOR, NAMELY REPLACEMENT FLASHLIGHT LAMPS, COMBINATION LENS HOLDER/ANTI-ROLL UNITS ADAPTED TO FIT THE HEADS OF FLASHLIGHTS, FLASHLIGHT MOUNTING BRACKETS, RUBBER GRIPPER SLEEVES ADAPTED TO FIT ON THE BARRELS OF FLASHLIGHTS AND LEATHER AND NYLON CARRYING HOLDERS AND BELT HOLDERS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 1-1-2001; IN COMMERCE 1-1-2001.

OWNER OF U.S. REG. NOS. 1,389,804, 1,611,960, AND OTHERS.

SN 76-223,778, FILED 3-12-2001.

KIMBERLY FRYE, EXAMINING ATTORNEY

ENTERED ON:

- ☒ Docket card
☒ Patent Index
☒ Foreign Index
☒ Card Index
☐ File Folder

State of California

OFFICE OF THE SECRETARY OF STATE

Trademark
Reg. No. 60569

CERTIFICATE OF REGISTRATION OF TRADEMARK

as of _____

I, MARCH FONG EU, Secretary of State of the State of California, hereby certify:

That in accordance with the application filed in this office the TRADEMARK described below has been duly registered in this office on behalf of:

Name of Applicant Mag Instrument, Inc., a California corporation

Business Address 1133 W. State Street, Ontario,
California 91761

Date First Used in California February 22, 1979

Date First Used Anywhere February 22, 1979

Description of Trademark the word "MAG-LITE"

Class No. 21

Description of Goods on Which the Trademark is Used flashlight

A copy, specimen, facsimile, counterpart or a reproduction of the mark is attached.

Date of Registration November 20, 1980

Term of Registration Extends to and Includes November 20, 1980

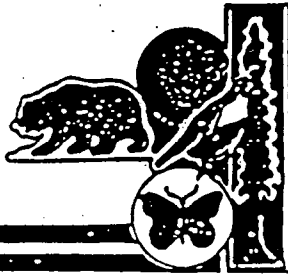


20th November, 1979.

DOCKETED BY: March Fong Eu
ON: 11-20-79
ACTION
REQUIRED: Leave Registration

DATE
EQUIRED: 11-20-79

EXHIBIT P



State
of
California

OFFICE OF THE SECRETARY OF STATE

Trademark 78422
Reg. No. _____

CERTIFICATE OF REGISTRATION OF TRADEMARK

I, MARCH FONG EU, Secretary of State of the State of California, hereby certify:

That in accordance with the application filed in this office the TRADEMARK described below has been duly registered in this office on behalf of:

Name of Applicant Mag Instrument, Inc., a
California corporation
Business Address 1635 South Sacramento Street
Ontario, California 91761
Date First Used in California On or before January, 1984
Date First Used Anywhere On or before January, 1984
Description of Trademark the words "MINI MAGLITE" in block form

Class No. 21
Description of Goods on Which the Trademark is Used flashlights

A copy, specimen, facsimile, counterpart or a reproduction of the mark is attached.

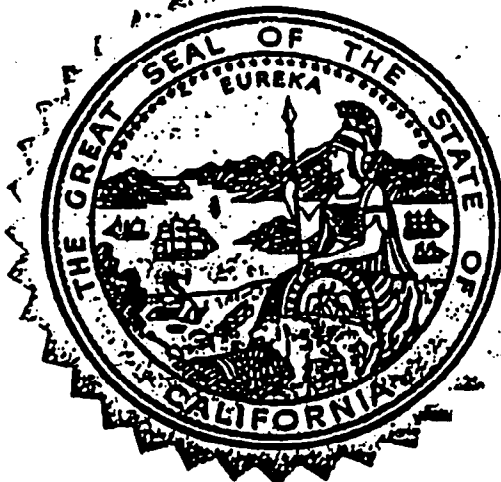
Date of Registration September 3, 1985
Term of Registration Extends to and Includes September 3, 1995

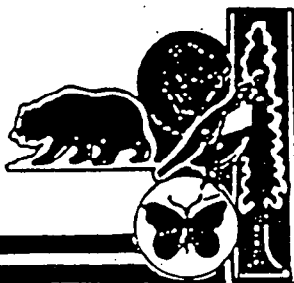
IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this

day of

3rd September, 1985

Menci





State of California

OFFICE OF THE SECRETARY OF STATE

Trademark
Reg. No. 084986

CERTIFICATE OF REGISTRATION OF TRADEMARK

I, MARCH FONG EU, Secretary of State of the State of California, hereby certify:

That in accordance with the application filed in this office the TRADEMARK described below has been duly registered in this office on behalf of:

Name of Applicant MAG INSTRUMENT, INC.

Business Address 1635 S Sacramento Street
Ontario, CA 91761

Date First Used in California May 17, 1984

Date First Used Anywhere May 17, 1984

Description of Trademark the words: "MAG LITE" with Sunburst Design

Class No. 21

Description of Goods on Which the Trademark is Used flashlight, flashlight bulbs
and flashlight accessories

A copy, specimen, facsimile, counterpart or a reproduction of the mark is attached.

Date of Registration September 30, 1987

Term of Registration Extends to and Includes September 30, 1997

IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this

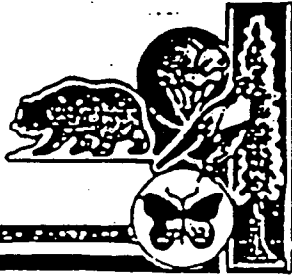
30th day of September 1987



March

178/292 California

EXHIBIT R



State of California

OFFICE OF THE SECRETARY OF STATE

Trademark 086000
Reg. No. _____

CERTIFICATE OF REGISTRATION OF TRADEMARK

I, MARCH FONG EU, Secretary of State of the State of California, hereby certify:

That in accordance with the application filed in this office the TRADEMARK described below has been duly registered in this office on behalf of:

Name of Applicant Mag Instrument, Inc.

Business Address 1635 S. Sacramento Street
Ontario, California 91761

Date First Used in California January 8, 1987

Date First Used Anywhere January 8, 1987

Description of Trademark "MINI MAGLITE AAA"

Class No. 21

Description of Goods on Which the Trademark is Used flashlights and flashlight accessories

A copy, specimen, facsimile, counterpart or a reproduction of the mark is attached.

Date of Registration 11/30/87

Term of Registration Extends to and Includes 11/30/97



IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this

30th day of November 1987

March

178/294 Californi

EXHIBIT S